

CITY OF SAN JOSÉ, CALIFORNIA  
Department of Planning, Building and Code Enforcement  
801 North First Street, Room 400  
San José, California 95110-1795

Hearing Date/Agenda Number  
P.C. 5/28/03 Item 3.i.

File Number  
PDC 01-08-082

Application Type  
Planned Development Prezoning and Rezoning

Council District  
5

Planning Area  
Alum Rock

Assessor's Parcel Number(s)  
601-09-013, 601-09-106, 601-09-011, 601-09-023

## STAFF REPORT

### PROJECT DESCRIPTION

Completed by: Jenny Nusbaum

Location: West side of Alum Rock Avenue approximately 200 feet northerly of Marian Lane (4600, 4601, and 4609 Hyland Avenue, and 4609 Alum Rock Avenue)

Gross Acreage: 8.21

Net Acreage: 8.21

Net Density: n/a

Existing Zoning: A-Agricultural, Unincorporated County

Existing Use: Religious assembly and school uses

Proposed Zoning: A(PD) Planned Development

Proposed Use: Expanded religious assembly and school uses

### GENERAL PLAN

Completed by: JN

Land Use/Transportation Diagram Designation  
Public/Quasi-Public

Project Conformance:  
☒ Yes ☐ No  
☐ See Analysis and Recommendations

### SURROUNDING LAND USES AND ZONING

Completed by: JN

North: Residential

R-1-8 Residence and Unincorporated County

East: Residential

Unincorporated County

South: Residential

Unincorporated County

West: Residential

R-1-8 Residence and Unincorporated County

### ENVIRONMENTAL STATUS

Completed by: JN

☐ Environmental Impact Report certified  
☒ Negative Declaration circulated on April 22, 2003  
☐ Negative Declaration adopted on

☐ Exempt  
☐ Environmental Review Incomplete

### FILE HISTORY

Completed by: JN

Annexation Title: McKee No. 91

Date: 05/26/1978

### PLANNING DEPARTMENT RECOMMENDATIONS AND ACTION

☒ Approval  
☐ Approval with Conditions  
☐ Denial

Date: \_\_\_\_\_

Approved by: \_\_\_\_\_  
☐ Action  
☒ Recommendation

### APPLICANT/OWNER/DEVELOPER

Roman Catholic Welfare Corp. of San Jose  
and Roman Catholic Bishop of San Jose  
Attn: Michael J. Mitchell  
900 Lafayette Street  
Santa Clara, CA 95050

### PUBLIC AGENCY COMMENTS RECEIVED

Completed by: Jenny Nusbaum

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**Department of Public Works**

Please see attached memorandum.

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**Other Departments and Agencies**

Please see attached memoranda from Fire, Police, and ESD, and the County of Santa Clara and VTA.

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**GENERAL CORRESPONDENCE**

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Please refer to Public Outreach Section of this report.

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**ANALYSIS AND RECOMMENDATIONS**

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**BACKGROUND**

The applicant, the Roman Catholic Welfare Corporation of San Jose and Roman Catholic Bishop of San Jose, is proposing to rezone and pre-zone property from A-Agricultural and Unincorporated County to A (PD) Planned Development to allow an expansion to an existing religious assembly and school complex. The project is located at the westerly side of Alum Rock Avenue approximately 200 feet northerly of Marian Lane (4600, 4601, and 4609 Hyland Avenue, and 4609 Alum Rock Avenue) on an 8.21 gross acre site.

A Planned Development zoning is required because the proposed project's development standards do not fit the standards of a conventional zoning district that conforms with the Land Use/Transportation designation of Public/Quasi-Public.

**Project Description**

The proposed pre-zoning and rezoning covers four rectilinear parcels. One of the parcels, approximately 3.41 acres located on the westerly side of Hyland Avenue, is in the City's A-Agricultural zoning district. The other three parcels, consisting of approximately 4.8 acres, are unincorporated in the County. These three parcels are part of a proposed annexation, McKee No. 120. The project site has frontage on both sides of Hyland Avenue as well as frontage on the westerly side of Alum Rock Avenue.

Currently, the site is used for religious assembly and school uses. All immediately adjacent land uses are single-family detached residences. Educational and neighborhood commercial uses, as well as a mix of single family and multi-family residential uses are located within approximately ½ mile of the project site.

As it exists now, the St. John Vianney Church complex includes seven primary structures and one accessory building (a detached garage) located on two blocks between Madeline Drive and Alum Rock Avenue. The primary structures consist of a church sanctuary building, a pavilion, a kindergarten building, a main school building, an administrative office building, a fellowship hall (activity center), and a rectory (formerly a private house). The church sanctuary building fronts on to the westerly side of Hyland Avenue.

The pavilion and kindergarten are to the rear of the site, west of the church sanctuary. The main school building is located to the south of the church sanctuary, across a courtyard from the previously mentioned structures, at 4601 Hyland Avenue. The church office building is located to the east and across the street from the school at 4600

Hyland Avenue. The fellowship hall, garage, and rectory are east of the church office building. The rectory fronts on to the westerly side of Alum Rock Avenue.

The proposed one- and two-story development would incorporate new construction, remodeling, and demolition. All existing and proposed buildings are stucco. Under the proposed scope for development, the complex would include a remodeled two-story church sanctuary, a new two-story school addition to the existing one-story kindergarten building, classroom additions to the existing one-story main school building, a new two-story parish center containing a multi-purpose room (gymnasium/auditorium), the existing two-story office building, the existing two-story rectory building, the existing one-story garage, a new landscaped courtyard, and existing, renovated, and new outdoor parking and recreation areas.

As proposed, the new school addition appears to cross an existing property line, which would create a violation of the building code. To avoid this situation, a lot line adjustment would be required prior to construction of this building.

The project would demolish the fellowship hall and the cinderblock pavilion, neither of which is historically significant. It would also remove approximately 7 ordinance size trees and 17 non-ordinance size trees. New landscaping and amenities would be installed throughout the site, including trees, shrubbery, groundcover, vines, walkways, benches, and tables.

Parking areas would be designed for actual parking demand based on an analysis of required spaces per use and hours of operation of each use. During times of off-peak parking demand, a portion of the large lot that is to the east of the new parish center would be used for outdoor recreation, provided that total parking demand is still accommodated on site in other designated parking areas.

## **ENVIRONMENTAL REVIEW**

An Initial Study was prepared for this project and a Mitigated Negative Declaration was circulated for public review by the Director of Planning with a circulation beginning on April 22, 2003, and ending on May 12, 2003. The following are the key issues that were addressed.

### **Historic Preservation**

The proposed project and the existing complex were evaluated in a report entitled, "Historic Evaluation of St. John Vianney Church Complex at 4600 Hyland Avenue in the City of San Jose," by Archaeological Resource Management, dated January 16, 2003. The Historic Evaluation focused on the structures that could be impacted by the project and their contribution to the historic fabric of the City of San Jose and the County of Santa Clara.

According to the Historic Evaluation, the structures were built at various dates from the 1920s to 1969, mostly in the Spanish Colonial Revival style. At a later undetermined date, a modern wooden addition was attached to the front of the structure. A kindergarten building and barbecue pavilion were also added to the complex at unknown later dates. The small kindergarten school expansion was not built in the Spanish Colonial Revival style.

The Saint John Vianney church complex is not currently listed on either the California Register of Historic Resources or the National Register of Historic Places, and, according to the Historic Evaluation, the complex does not appear to be eligible for either register. The church is Spanish Colonial Revival in style, but it is not an especially fine or unusual example of this style. Although not historic, the stained glass windows, added in the 1970s, possess high artistic values.

Using the City of San Jose's historic resource evaluation criteria, the church complex as a whole was identified as a

“Structure of Merit,” for “which preservation should be a high priority.” However, neither of the structures proposed for demolition, the fellowship hall and the cinderblock pavilion, were found to contribute to the historic significance of the church complex. The Historic Evaluation concludes that, “the complex as a whole does retain its integrity in location, setting, design, and feeling. The materials and workmanship are not especially notable, and research revealed no associations with persons or events contributing to broad patterns of history.”

The Initial Study for the Mitigated Negative Declaration concluded that if the remodeled and new structures are designed in a manner that is consistent with the architectural style of the existing structures, the project will have less than significant impacts to historic resources on the subject site. Their design is discussed in the Analysis section below.

### **Noise**

According to the noise study entitled, “Final Noise Assessment Study for the St. John Vianney Parish and School, Hyland Avenue, San Jose,” prepared by Edward L. Pack Associates, Inc., dated January 13, 2003, the new parish center will serve as a multi-purpose room with a gymnasium and performance platform that may have the potential for generating noise that exceeds the City of San Jose’s General Plan Noise Element standards. In addition, a mechanical equipment deck will be located near the northeast property line that may also have the potential for generating noise at the nearby residence.

To address the impacts of noise from the parish center, the project shall be required to comply with mitigation measures recommended in the noise study. The doors and windows of the parish center shall be required to be closed during noise-generating activities including, but not limited to, sports events, music, or theater events where sound amplification is used, or when the audience capacity is greater than 50 people.

The project shall be required to provide mechanical ventilation in compliance with the City of San Jose’s Municipal Code and the Uniform Building Code. Prior to the issuance of a certificate of occupancy, development permits approved for this portion of the project shall contain a condition requiring that the applicant provide a detailed noise assessment study of the mechanical, electrical, and all other noise-generating systems to ensure compliance with the City of San Jose’s General Plan Noise Element and Zoning Ordinance. With the inclusion of these mitigation measures, the noise impacts associated with activities and operations at the parish center will be reduced to less-than-significant levels.

### **GENERAL PLAN CONFORMANCE**

The proposal is consistent with the San Jose 2020 General Plan Land Use/Transportation designation of Public/Quasi-Public. This designation is appropriate for quasi-public uses including religious assembly buildings and schools.

### **ANALYSIS**

The relevant project issues are (1) consistency with City Council Policy 6-21, Church Location Policy; (2) conformance with the Commercial Design Guidelines; and (3) compatibility of the proposed architecture with the historic preservation of the existing church complex.

#### **Church Location Policy (6-21)**

The proposed project is generally consistent with City Council Policy 6-21. Proposed church uses will be located on a site with a General Plan Land Use/Transportation designation of Public/Quasi-Public. A church already exists on this site. With the inclusion of the environmental mitigation required by the City, the project will not negatively impact

the adjacent residential living environment. The existing church complex provides community services and educational functions to the neighborhood, and the proposed project will enhance these functions. The site of the complex consists of approximately 8.21 acres, which provides an adequate area for the expanded complex.

The project will maintain minimum setbacks established by the existing historic structures on the site. However, it should be noted that the existing complex has less than 25 foot minimum building setbacks along all property lines, including property lines adjacent to residential uses. Setback areas along street frontages will be landscaped. Except in front setback areas where existing structures are less than 15 feet from the front property line, front landscape areas will be at least 15 feet deep. A minimum of 5 feet of landscaping will be provided along interior property lines, except in areas where existing structures are less than 5 feet from interior property lines. Additional landscaping will be distributed within parking areas.

### **Commercial Design Guidelines**

The proposed project substantially conforms to the Commercial Design Guidelines to the extent that is feasible, given the desire to preserve and complement the existing historic complex. Although approximately 7 ordinance size trees and 17 non-ordinance trees are proposed to be removed, several other mature trees and all historic structures will be preserved.

The scale and texture of the proposed building additions blend with the existing buildings and landscape, and the new building respects the existing historic structures through the use of similar materials and proportions. Covered walkways and landscaped areas enhance the connections between the buildings in the complex. Safe and convenient facilities and means of access are provided for pedestrians and bicyclists. Site setbacks from public streets continue the prevailing setback pattern and active building elevations are oriented parallel to streets.

Structures and activities have been located and designed to avoid creating nuisances and hazards for adjoining residential properties. The new parish center building will be set back at least 50 feet from the adjacent single-family residential property line. New one-story enclosures for transformers and trash are proposed to have a minimum setback of 5 feet from property lines adjacent to residential development; this is the same distance required for side setbacks in the R-1 Residence zoning district.

The Commercial Design Guidelines recommend that window orientation and materials in non-residential buildings should preclude a direct line of sight into adjacent residential private open spaces within 100 feet. Because the site has residential rear yards adjacent to both its north and south property lines, as well as several existing structures that have windows closer than 100 feet to residential rear yards, opportunities for new window placement are limited, and achieving a minimum setback of 100 feet for all new windows is very difficult. Consequently, a few windows in the building additions and the new parish center will be closer than 100 feet to the adjacent residential rear yards, but these windows will not be any closer to rear yards than the windows in the existing structures.

According to the Guidelines, landscaping should consist of a 10-foot wide landscape strip plus a minimum 7-foot high masonry wall when a driveway, service yard, loading area or parking lot is adjacent to residential uses. The conceptual site plan included with the Planned Development Zoning plan set shows an existing 6-foot high chainlink fence and a landscape strip at least 6 feet in width. Staff will work with the applicant at the Planned Development Permit stage to replace this existing fence with a 7-foot tall solid fence and to increase the amount of landscape buffer.

### **Compatibility of Proposed Architecture with Existing Historic Structures**

The Secretary of the Interior's Standards for Rehabilitation are ten basic principles created to help preserve the

distinctive character of a historic building and its site, while allowing for reasonable change to meet new needs and taking into consideration economic and technical feasibility. In the City of San Jose, the Standards are applied to exterior work, not interior work. The Standards also encompass related landscape features and the building's site and environment as well as attached, adjacent, or related new construction.

As part of the expansion of the complex, the church sanctuary building may add a second story extension, including a new roof over an exterior façade, with three additional arched windows to the west side of the existing building, as well as both exterior and interior remodeling of the first floor. Several modifications will be made to reconfigure the building interior to allow an expansion of 250 additional seats, to approximately double the size of the existing interior gathering space located adjacent to the east entrance. New exterior building materials, including roofing, would match the existing building.

The new two-story school addition to the existing kindergarten building would include stucco and roofing to match the existing kindergarten building with windows designed to complement rather than replicate the existing fenestration. Two new one-story classrooms are proposed to be added to the west wing of the main school building located away from the street and would match the existing building addition. A new covered walkway would also be added along the northern façade of the existing main school building.

The new two-story parish center would be located to the north of the existing office center, and would front onto the easterly side of Hyland Avenue with stucco building facades, with wood accent post features, with a standing seam metal roof. An exterior covered walkway would wrap around the southern and eastern portions of the building, and a landscaped courtyard would be located between the new parish center and the existing office center.

As previously described, to accommodate the expansion of the complex, two existing structures, the barbecue pavilion and St. Francis fellowship hall building, are proposed to be demolished. According to the Historic Evaluation, the buildings scheduled for demolition do not contribute to the historic significance of the complex.

Based on the proposed scope of work, staff concludes that the project complies with the Secretary of the Interior's Standards for Rehabilitation. By maintaining the existing use of the subject site, and limiting the scope of demolition to minor structures that are not architecturally significant, the project preserves the

historic character of the property. Additions and renovations to the existing buildings are intended to be compatible but not create a false sense of history.

The proposed project was presented as a referral to the Historic Landmarks Commission at a public hearing on May 7, 2003. The Commission evaluated the project favorably, and noted that the modern design of the new parish center complemented the existing complex. The Commission inquired why a standing seam metal roof was proposed for the new parish center, given that the existing buildings in the complex have clay tile roofs. The applicant's architect explained that the main factors were cost, weight of roofing material, durability, and maintenance. The Commission then concluded that the proposed project is compatible with the existing historic structures.

## **PUBLIC OUTREACH**

On January 10, 2002, the applicant held a noticed community meeting for owners and residents within 500 feet of the subject site, and approximately 20 people attended. Almost all of the attendees spoke enthusiastically in favor of the project, and no one appeared to oppose the project. A public hearing notice was published and mailed to the owners and residents within 500 feet of the subject site, and staff has been available to respond to any questions regarding the project. Staff has received one phone call from a member of the public who stated that she was against the project because the project was not compatible with the area. Staff has not received any other public correspondence to date.

## RECOMMENDATION

Planning staff recommends approval of the proposed Planned Development Rezoning for the following reasons:

1. The proposed project conforms to the site's General Plan Land Use/Transportation Diagram designation of Public/Quasi-Public.
2. The proposed project is generally consistent with City Council Church Location Policy 6-21.
3. The proposed project substantially conforms to the *Commercial Design Guidelines*.
4. The proposed project is compatible with the existing historic structures.
5. The proposed project will be compatible with existing development on the site.

## Attachments

c: Roman Catholic Welfare Corp. of San Jose and Roman Catholic Bishop of San Jose  
Attn: Michael J. Mitchell, 900 Lafayette Street, Santa Clara, CA 95050

Jeffrey T. Berg, AIA, The Steinberg Group, 60 Pierce Avenue, San Jose CA 95110